

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

| | | |
|------------------------------|---|-----------------------------------|
| SHEDRICK THORTON, |) | |
| ID # 220003389, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | |
| DR. MICHAEL PITTMAN, ET AL., |) | |
| |) | |
| Defendants. |) | Civil Action No. 3:22-CV-605-C-BT |

ORDER

Before the Court are the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, filed February 16, 2023, therein advising the Court that Plaintiff's Motion to Proceed *In Forma Pauperis* On Appeal should be DENIED. Plaintiff failed to file any timely objections.¹

The Court conducts a *de novo* review of those portions of the Magistrate Judge's report or specified proposed findings or recommendations to which a timely objection is made. 28 U.S.C. § 636(b)(1)(C). Portions of the report or proposed findings or recommendations that are not the subject of a timely objection will be accepted by the Court unless they are clearly erroneous or contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

The Court has conducted an independent review of the Magistrate Judge's findings and conclusions and finds no error. It is therefore **ORDERED** that the Findings, Conclusions, and Recommendation are hereby **ADOPTED** as the findings and conclusions of the Court. For the

¹The Court has allowed an extra six days beyond the 14-day period for filing objections because Plaintiff is incarcerated.

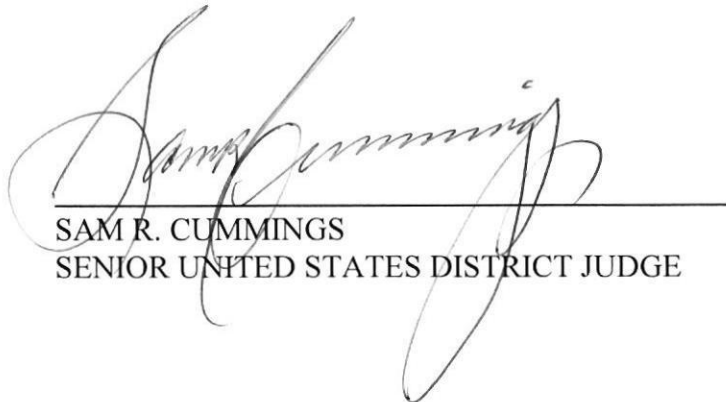
reasons stated therein, Plaintiff's Motion to Proceed *In Forma Pauperis* On Appeal should be **DENIED** because his appeal is not taken in good faith. Plaintiff must make payments as set forth in the Magistrate Judge's Findings, Conclusions, and Recommendation.

Additionally, Plaintiff may challenge these findings by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court for the United States Court of Appeals for the Fifth Circuit within 30 days from the date of this Order.

Finally, the Clerk of Court shall term ECF Nos. 48 and 50 because the Court construes ECF No. 50 as a duplicate filing of ECF No. 48.

SO ORDERED.

Dated this 13th day of March, 2023.



SAM R. CUMMINGS
SENIOR UNITED STATES DISTRICT JUDGE